



**SCREENING CHAPTER 24
JUSTICE, FREEDOM AND SECURITY**

AGENDA ITEM 13 : EXTERNAL BORDERS

**Country Session: Republic of TURKEY
13 – 15 February 2006**

TURKEY'S BORDERS AND BORDER GATES

7 Railway Border
Gates

113 Border
Gates

39 Air Border Gates

**BULGARIA
BORDER : 269 KM.**

**GEORGIA BORDER
: 276 KM.**

**ARMENIA BORDER
: 328 KM.**

**GREECE
BORDER : 203 KM.**

**IN TOTAL:
9479 KM.**

**AZERBAIJAN
(NAHCIVAN)
BORDER : 18 KM.**

**SEA BORDERS:
6530 KM**

**IRAN
BORDER : 560KM.**

**SYRIA
BORDER : 911 KM.**

**IRAQ
BORDER :384 KM.**

47 Sea Border Gates

20 Land Border Gates



LEGISLATION

- Law No. 3201 on National Police
- Law No. 2559 on Powers and Duties of Police
- Law No. 5682 on Passport
- Law No. 5683 on Residence and Travels of Foreigners in Turkey
- Law No. 5442 on Provincial Administration and Law No. 4178 amending the former
- Law No. 4926 on Combating Trafficking



BORDER MANAGEMENT IN TURKEY

The Current State of Affairs:

Although the overall supervision competence is entrusted to the Ministry of Interior, border management and controls are carried out by the following bodies:

- Duties related to the entry and exit of the persons at border gates are performed by the General Directorate of Security, Ministry of Interior.
- Duties related to the entry and exit of the goods at border gates are performed by the Undersecretariat of Customs,



- Duties related to border (between the border gates) surveillance of 125 km part of the Iran border and all of 384 km Iraq border are performed by the Gendarmerie General Command (17%),
- Duties related to border surveillance at other land borders are performed by the Land Forces General Command (83%),
- Surveillance duties at maritime borders (between the border gates) are performed by the Coast Guard Command.

There is close coordination and cooperation among the aforementioned authorities. Head of Civilian Administration (Governor or his designated Deputy) in the provinces organizes such cooperation through regular meetings and dissemination of information.



INSTITUTIONAL SET UP FOR MANAGEMENT OF THE BORDER GATES

The General Directorate of Security is responsible mainly for checking and managing entry and exit of foreigners and Turkish nationals.

The Turkish Police in charge of border gates management are composed of :

- Central Organisation (Department for Aliens)
- Border Organisation (Under the authority of Governors).



COMPETENCES OF THE TURKISH POLICE AT BORDER GATES

As designated in the relevant legislation, the police in charge at the border gates (passport police) perform the following duties:

- Exit and entry procedures including registration
- Checking visa and travel documents
- Determining forgery on travel documents and taking such steps as inadmissibility and initiation of judicial proceedings
- Deportation procedures
- Receiving asylum applications
- Taking necessary security measures
- Prevention and investigation of human smuggling,
- General law enforcement duties.



STATISTICS ON ENTRY/EXIT/ REFUSAL OF ALIENS AT THE TURKISH BORDER GATES

2004

ENTRY	23.970.101
EXIT	23.834.904
REJECTED	11.093

2005

ENTRY	28.327.924
EXIT	27.921.338
REJECTED	8.008



REFUSAL OF ENTRY INTO TURKEY – PROCEDURE

Reason for refusal of entry of an alien is explainable to him/her at border gates by the relevant personnel. Alien can ask from the administration (the Ministry of Interior) for reasons in writing about he/she being denied to enter the country. This application would be answered in writing.



COMPETENCES OF THE TURKISH CUSTOMS AT BORDER GATES

- Control of the entries and exits of the goods, passengers and all types of vehicles and vessels at border gates,
- Carrying out investigations on all kinds of smuggling (including drugs, fire arms, cultural property) as an enforcement unit and taking such cases to the judicial proceedings,
- Preventing the infringements of intellectual property rights,
- Assisting the other law enforcement bodies in prevention of human smuggling,
- Cash Control at Border Gates,



- Taking essential measures for the security and control of the land border gates areas,
- Monitoring trafficking in nuclear and radioactive materials in borders,
- Monitoring trade in goods trade of which are regulated by international Conventions like CITES, Basel etc.



2003 STRATEGY PAPER FOR THE PROTECTION OF EXTERNAL BORDERS IN TURKEY

The Strategy Paper drawn up by the Turkish authorities in the light of EU experts' suggestions for the Protection of External Borders in Turkey, emphasizes that in line with the EU acquis, all tasks at land and maritime borders and border gates to combat trafficking and illegal crossing and the security of the border gates; passenger entry and exit, passport checks and prevention of forgery, removal and deportation procedures; security of the borders and physical measures, should be performed by a single authority and recommends that a new organization should be set up under the auspices of the Ministry of the Interior for all border protection duties in Turkey to be performed by specially trained, professional law enforcement units.



The Strategy Paper also states that, due to its geographical location, the control of border crossing is of utmost importance. The east and south east borders are mountainous and the Eastern neighboring countries have unstable political regimes. Thus, changing the existing border protection system and setting up a new unit would cause great financial burden; it would be useful for Turkey to gradually put in place a border police system with the financial assistance from the EU.



The EU Commission evaluated the Strategy Paper as a significant step towards the harmonization of the legislation and practice of Turkey related to border management with the EU acquis, and emphasized that a detailed action plan would be drawn up covering the legislative and institutional reforms, training activities, infrastructure and equipment investments. A twinning project on border management and the above-mentioned action plan would constitute the basis for the financial assistance of the EU to Turkey beginning from 2004.



INTEGRATED BORDER MANAGEMENT TWINNING PROJECT

As an expected output of the Turkey-EU Twinning Project on Integrated Border Management in Turkey, an Action Plan will be released and submitted to the EU Commission. The Action Plan will identify requirements for legislative alignments, institutional reforms, staffing and training and what further equipment and infrastructure should be deployed in order to ensure reinforced protection at the borders to attain best practices level to the extent possible.

The Plan will also set priorities for the most urgent investments needed, which will form the basis for programming further EU financial assistance.



Within the framework of Integrated Border Management, it would be useful to take into consideration these points. A step-by-step approach is advisable in the context of efforts to adopt best practices.



TR 04/AB/ JH 04 Twinning Project for the Development of a Training System for Border Police

A Twinning project TR2004/IB/JH/05 has been prepared and is planned to be implemented in 2005-2006 by the twinning procedures within the scope of EU-Turkey Financial Assistance, with a Spanish-Hungarian consortium. The project's purpose is to prepare a training strategy for the new border organization, a programme for pre-service, in-service and management of human resources development and training including curriculum and methodology in line with EU standards, proposals for the establishment of new training structures and facilities, and the development of operational standards and best practices for the border organization, the elaboration of a "common manual of checks at the external borders" for the personnel currently working at borders.



LEGISLATION ON PROTECTION OF GREEN AND BLUE BORDER LINES

Law No: 3497 on Protection and Security of Green Borders

Turkish Coast Guard Command Law No. 2692

According to the aforementioned laws;

-Land Forces Command is tasked to protect and secure the green borders and this task shall be fulfilled by border units.

-The responsibility of protecting and securing all coasts, territorial waters and internal waters is assigned to the Coast Guard Command under the Ministry of Interior.



SCREENING CHAPTER 24
JUSTICE, FREEDOM AND SECURITY
AGENDA ITEM 13:EXTERNAL BORDERS

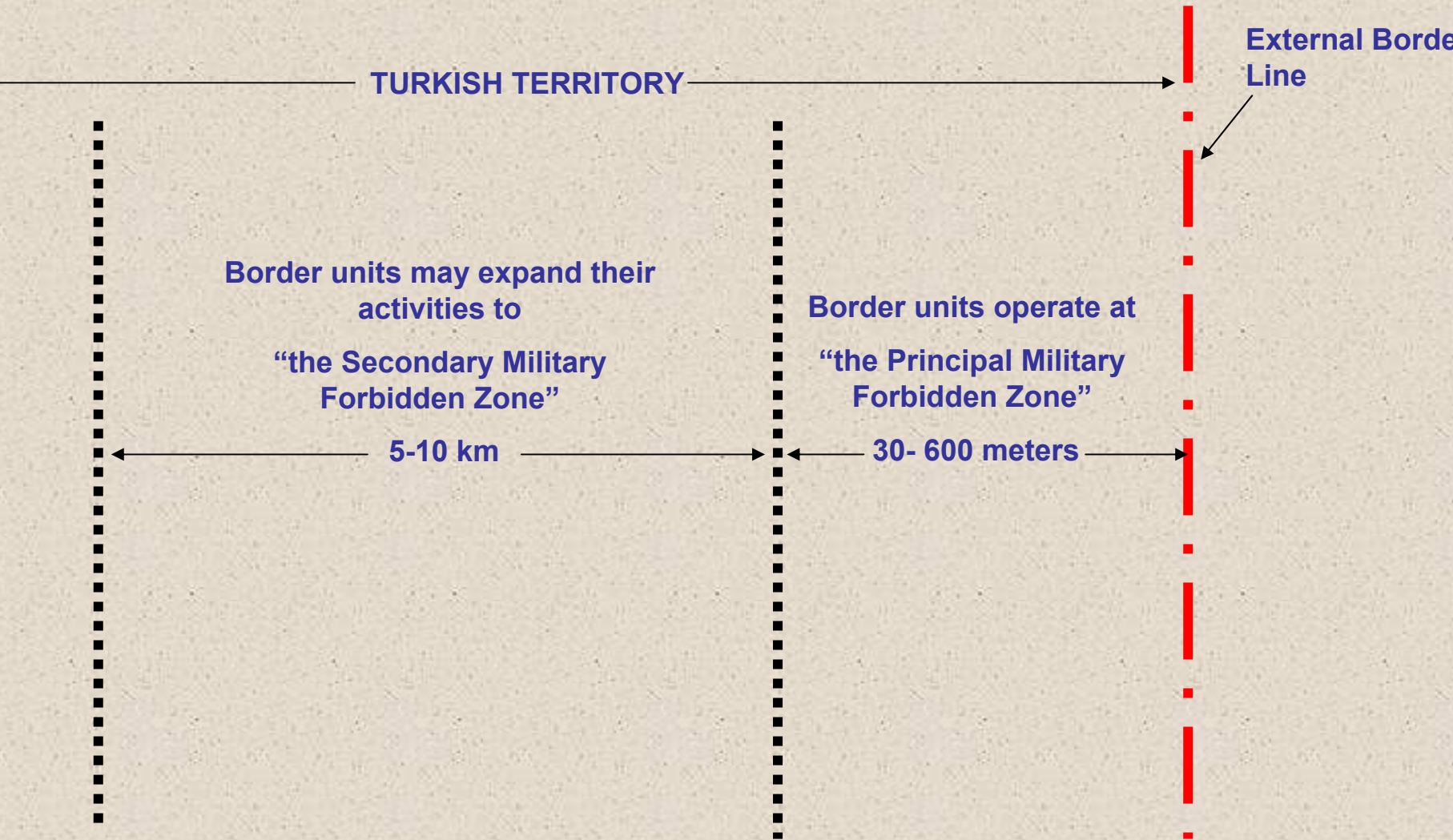




- 65% of Turkey's green borders are mountainous,
- Especially the eastern and south-eastern borders are rugged terrain and the border line passes mostly through the mountain peaks,
- 8-10 hour-climbing to reach the borderland,
- Observed by EU representatives as well,
- Harsh climate conditions,
- Turkey has a considerable responsibility with regard to protection and management of borders,
- Approximately 50.000 personnel are assigned specifically for border security and control.



- Principal element: border patrol stations,
- 5-10 km. between border patrol stations,
- Total of 390 border patrol stations.





- Isolated settlements,
- Difficulties in meeting the social needs of the personnel in the borders,
- Unfavourable conditions cause unaccompanied assignments,
- Need for costly security equipment,
- Sensitive adjacent areas in the region in terms of terrorist activities,

- System establishment:
 - Expensive and time-consuming,
 - Only physical barrier systems are insufficient,
 - A heavy burden on Turkey in terms of time and cost.



RESPONSIBILITIES OF BORDER UNITS

- Protect and secure the borders,
- Within the “Principal Military Forbidden Zone”:
 - Prevent the criminal activities,
 - Pursue and capture the criminals within military zones including the “Secondary Military Forbidden Zone”, when required to
 - Carry out the compulsory legal transactions about criminals,
 - Deliver the criminals and criminal evidences to local law enforcement authorities,
- Fulfil the provisions of the specific law on the personnel of foreign armies,
- Seize their arms, ammunitions, combat devices and equipments of refugees and deliver them with their other belongings to the authorities concerned.



While fulfilling these duties, border units have the same duties and powers of law enforcement bodies including the authority to use arms.

Fulfilment of the duties stipulated by this law, principles of cooperation and coordination with other relevant authorities as well as other issues related to the implementation of the law are specified under a regulation.



BLUE BORDERS

The responsibility of protecting and securing all coasts, territorial waters and internal waters is assigned to the Coast Guard Command under the Ministry of Interior.

- Assisting the other law enforcement bodies in capturing the criminals who commit crimes that start on the land and continue in the sea,
- Protection of life and goods at the sea,
- Search and rescue,
- Control of sea transportation in coastal waters,
- Implementation of Sea Food Law,



- Implementation related to anchoring, lashing, hunting, diving and hoisting the flag with navigation security,
- Combat sea pollution,
- Prevention of the actions against the Law on Military Forbidden Zones and Security Zone,
- Taking necessary protection measures related to the destruction of uncontrolled mine, explosives and sensitive items that could be detected in the sea and coasts.



THANK YOU FOR YOUR ATTENTION